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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/808,989 | 03/24/2004 | Ewa Herbst | 286932.123 US2 |

CONFIRMATION NO. 6776

28089
WILMER CUTLER PICKERING HALE AND DORR LLP
300 PARK AVENUE
NEW YORK, NY 10022

FORMALITIES LETTER

OC000000012879997*

Date Mailed: 06/07/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
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08/06/2004 CNGUYEN 00000053 080219 10808989 Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

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W C P H AND D LLP

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Page 2 of 2



Customer Service Center

Initial Parent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Re: U.S. Patent Application No. 10/808,989 filed 03/24/2004
Title: Treatment of Living Tissues Using Electromagnetic Fields
First Inventor: Ewa Herbst
Examiner: Not yet assigned Group Art Unit: 3736
Attorney Docket No.: 288932.123-US2

Certificate of Transmission under 37 CFR 1.8

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Document

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Response to Notice to File Missing Parts

1

Copy of Notice to File Missing Parts

2

Combined Declaration and Power of Attorney

4

Total Number of Pages (including this Certificate of Transmission)

8

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Ewa Herbst

U.S. Serial No.: 10/808,989

Filing Date: March 24, 2004

For: Treatment of Living Tissues Using Electromagnetic Fields

Docket No.: 286932.123 US2

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SIR:

RESPONSE TO JUNE 7, 2004
NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

This Response is submitted in reply to the Notice to File Missing Parts of Nonprovisional Application under 37 C.F.R. §1.53(b) mailed June 7, 2004, a copy of which is submitted herewith, in connection with the above-identified application. A reply is due August 7, 2004. Therefore, this Response is being timely filed.

In reply to the Notice, Applicants submit herewith an executed Combined Declaration and Power of Attorney. Applicants hereby authorize the Director to charge the late oath or declaration surcharge of \$65.00 to Deposit Account No. 08-0219.

No additional fee is believed to be necessary at this time. However, in the event that any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 08-0219.

Date:

8/3/04

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